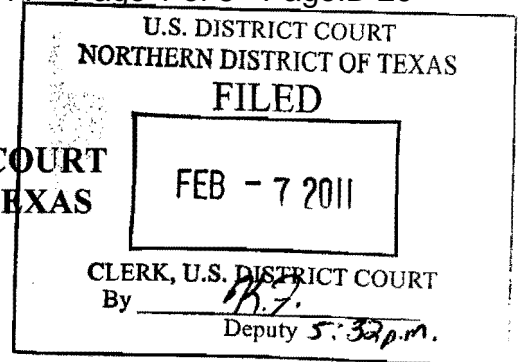


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



SERIOUS BIDNESS, LLC,
Plaintiff,

§
§
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§

Civil No. 11-cv-2-F

v.

DOES 1-109,
Defendants,

**ORDER VACATING THE COURT'S ORDER GRANTING PLAINTIFF'S
MOTION FOR LEAVE TO TAKE DISCOVERY PRIOR TO
RULE 26(f) CONFERENCE AND ORDER TO SHOW CAUSE**

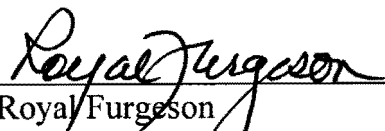
On January 28, 2011, the Court Granted Plaintiff's Motion for Leave to Take Discovery Prior to Rule26(f) Conference. *See* Docket No. 5. After further consideration, the Court finds that the Discovery Motion concerns matters that could materially affect the interest of the Defendant Does, but because the Defendants' identities have yet to be ascertained, the Does cannot represent their interests before this Court. Accordingly, the Court VACATES its Order granting Plaintiff's Motion for Leave to Take Discovery.

Additionally, the Court enters this Order to Show Cause why the Court should not appoint attorneys ad litem to represent the Does' interests in the Motion for Leave to Take Discovery. It is ORDERED that Plaintiff RESPOND to this Order to Show Cause on or before **February 28, 2011**. In the event that there is no response to this Order the Court will appoint attorneys ad litem to represent the Does' interests in the Motion for Leave to Take Discovery.

Further, it is ORDERED that the internet service providers ("ISPs") listed in Exhibit A to this Order preserve existing activity reports for each Internet Protocol ("IP") address listed in Exhibit A pending the resolution of the Discovery Motion. The ISPs are required to retain activity records only for the specific date and time logged for each IP address, and then only to the extent necessary to identify each Doe defendant's name, address, telephone number, e-mail address, and Media Access Control address. Plaintiff is directed to serve a copy of this Order on each affected ISP. The ISPs have thirty (30) days from the date of this Order to respond to the Discovery Motion, if they desire to do so.

It is so Ordered.

Signed this 7th day of February, 2011.



Royal Furgeson
Senior United States District Judge

Exhibit A

Defendant	Host IP	Date (GMT)	ISP
Doe 1	70.122.115.73	12/5/10 9:05 PM	Road Runner
Doe 2	74.67.192.91	11/21/10 8:18 PM	Road Runner
Doe 3	74.70.0.210	12/4/10 3:19 AM	Road Runner
Doe 4	74.87.139.33	11/22/10 2:01 AM	Road Runner
Doe 5	75.117.19.86	12/9/10 5:54 PM	Windstream Communications
Doe 6	75.176.86.230	12/5/10 8:07 PM	Road Runner
Doe 7	75.185.216.188	11/21/10 1:22 PM	Road Runner
Doe 8	75.201.39.62	12/8/10 7:03 AM	Cellco Partnership DBA Verizon Wireless
Doe 9	75.216.19.171	12/8/10 3:24 AM	Cellco Partnership DBA Verizon Wireless
Doe 10	75.27.35.66	12/8/10 5:45 PM	SBC Internet Services
Doe 11	75.36.224.76	11/20/10 10:09 PM	SBC Internet Services
Doe 12	75.45.85.218	11/22/10 4:47 AM	SBC Internet Services
Doe 13	74.239.22.117	12/9/10 5:14 AM	BellSouth.net
Doe 14	74.232.113.125	12/7/10 2:53 AM	BellSouth.net
Doe 15	72.44.2.28	12/12/10 8:23 PM	EarthLink
Doe 16	70.166.92.249	12/10/10 11:57 PM	Cox Communications
Doe 17	70.3.17.30	12/12/10 5:33 AM	Sprint PCS
Doe 18	71.118.36.39	12/9/10 8:03 PM	Verizon Internet Services
Doe 19	71.195.70.52	11/21/10 1:35 AM	Comcast Cable
Doe 20	71.197.77.60	12/8/10 11:27 PM	Comcast Cable
Doe 21	71.221.139.224	12/6/10 12:22 AM	Qwest Communications
Doe 22	71.23.75.100	12/6/10 1:31 AM	Clearwire Corporation
Doe 23	71.234.201.38	12/10/10 10:39 AM	Comcast Cable
Doe 24	71.65.215.22	12/7/10 4:36 AM	Road Runner
Doe 25	71.76.42.14	12/13/10 4:36 AM	Road Runner
Doe 26	71.83.227.122	11/20/10 11:30 PM	Charter Communications
Doe 27	75.45.86.250	11/22/10 6:43 PM	SBC Internet Services
Doe 28	75.50.107.232	12/9/10 5:38 AM	SBC Internet Services
Doe 29	97.123.42.42	12/7/10 3:32 AM	Qwest Communications
Doe 30	97.127.142.47	12/7/10 6:29 AM	Qwest Communications
Doe 31	97.85.187.41	12/13/10 3:57 AM	Charter Communications
Doe 32	98.145.204.31	12/9/10 6:36 AM	Road Runner
Doe 33	98.157.217.248	11/21/10 9:19 PM	Road Runner
Doe 34	98.176.175.104	12/4/10 6:59 PM	Cox Communications
Doe 35	98.204.63.214	12/6/10 2:18 PM	Comcast Cable
Doe 36	98.206.101.200	12/8/10 4:10 AM	Comcast Cable
Doe 37	98.214.183.242	12/13/10 5:39 AM	Comcast Cable
Doe 38	98.237.20.158	12/5/10 10:33 PM	Comcast Cable
Doe 39	99.54.95.29	12/11/10 8:34 AM	SBC Internet Services

Doe 40	97.123.40.77	12/7/10 2:40 AM	Qwest Communications
Doe 41	96.24.19.102	12/9/10 6:49 PM	Clearwire Corporation
Doe 42	96.18.200.244	12/10/10 11:21 PM	CABLE ONE
Doe 43	75.68.83.88	12/13/10 4:55 AM	Comcast Cable
Doe 44	75.75.14.197	11/20/10 12:28 PM	Comcast Cable
Doe 45	75.94.83.105	12/8/10 10:02 AM	Clearwire Corporation
Doe 46	76.102.247.13	11/21/10 8:28 PM	Comcast Cable
Doe 47	76.14.101.95	12/7/10 1:31 AM	Wave Broadband
Doe 49	76.167.204.220	12/11/10 3:00 AM	Road Runner
Doe 50	76.183.123.34	12/4/10 6:04 PM	Road Runner
Doe 51	76.21.67.72	12/5/10 8:40 AM	Comcast Cable
Doe 52	76.85.181.137	12/4/10 5:06 PM	Road Runner
Doe 53	76.98.8.251	12/4/10 7:13 AM	Comcast Cable
Doe 54	99.69.141.24	12/10/10 4:26 AM	SBC Internet Services
Doe 55	70.116.76.107	12/8/10 3:47 AM	Road Runner
Doe 56	108.0.80.123	12/7/10 8:29 AM	Verizon Internet Services
Doe 57	184.209.89.121	12/12/10 4:51 AM	Sprint PCS
Doe 58	184.57.99.193	12/10/10 4:28 PM	Road Runner
Doe 59	184.76.110.11	12/10/10 9:39 PM	Clearwire Corporation
Doe 60	184.77.239.89	11/21/10 3:20 AM	Clearwire Corporation
Doe 62	208.118.26.229	12/8/10 8:43 AM	EarthLink
Doe 63	208.44.30.134	11/20/10 4:42 PM	Qwest Communications
Doe 64	208.54.85.60	12/4/10 10:10 AM	T-MOBILE USA
Doe 67	24.107.185.100	12/11/10 12:53 PM	Charter Communications
Doe 69	174.61.69.62	12/5/10 12:29 PM	Comcast Cable
Doe 70	174.48.110.38	11/20/10 7:04 PM	Comcast Cable
Doe 71	108.28.37.173	12/6/10 7:08 AM	Verizon Internet Services
Doe 74	173.168.135.96	12/10/10 7:10 PM	Road Runner
Doe 75	173.247.18.192	12/11/10 12:38 PM	EPB Telecom
Doe 76	173.25.182.112	12/10/10 4:24 PM	Mediacom Communications Corp
Doe 77	173.3.82.72	12/4/10 10:40 PM	Optimum Online
Doe 78	173.63.234.32	12/12/10 6:59 AM	Verizon Internet Services
Doe 79	173.76.22.189	12/8/10 2:09 PM	Verizon Internet Services
Doe 80	173.81.102.128	12/9/10 2:28 PM	Suddenlink Communications
Doe 81	174.109.152.57	12/13/10 2:19 AM	Road Runner
Doe 82	24.13.173.14	12/10/10 1:35 AM	Comcast Cable
Doe 83	24.186.48.84	11/21/10 4:47 AM	Optimum Online
Doe 84	67.61.76.77	12/12/10 12:59 AM	CABLE ONE
Doe 85	68.195.84.157	12/12/10 7:36 PM	Optimum Online
Doe 86	68.28.169.228	12/12/10 4:23 AM	Sprint PCS
Doe 87	68.39.141.120	12/11/10 12:44 AM	Comcast Cable
Doe 88	69.112.184.106	12/10/10 6:49 PM	Optimum Online

Doe 89	69.119.29.192	12/12/10 10:53 AM	Optimum Online
Doe 90	69.140.251.237	11/22/10 7:56 PM	Comcast Cable
Doe 91	69.151.103.240	12/12/10 12:01 AM	SBC Internet Services
Doe 92	69.180.15.166	12/6/10 2:06 AM	Comcast Cable
Doe 93	69.181.133.206	12/5/10 3:40 AM	Comcast Cable
Doe 94	69.255.107.176	11/22/10 6:53 AM	Comcast Cable
Doe 95	67.243.34.93	12/5/10 6:28 PM	Road Runner
Doe 97	67.187.49.130	12/12/10 1:16 AM	Comcast Cable
Doe 98	24.20.207.24	12/10/10 11:38 AM	Comcast Cable
Doe 99	24.22.165.111	12/12/10 8:02 AM	Comcast Cable
Doe 100	24.234.50.215	11/21/10 4:11 PM	Cox Communications
Doe 101	24.24.254.155	11/21/10 12:00 PM	Road Runner
Doe 102	66.168.224.192	12/6/10 3:33 PM	Charter Communications
Doe 103	66.215.121.249	11/22/10 12:45 PM	Charter Communications
Doe 104	66.74.52.220	12/9/10 6:29 PM	Road Runner
Doe 105	67.11.74.198	12/12/10 10:17 AM	Road Runner
Doe 106	67.126.239.130	12/5/10 3:45 PM	SBC Internet Services
Doe 107	67.149.89.174	11/20/10 9:18 PM	WideOpenWest
Doe 108	67.160.69.1	12/4/10 6:04 AM	Comcast Cable
Doe 109	70.112.189.3	12/5/10 7:38 PM	Road Runner